

REMARKS

Claims 40-46 are pending in the application. Applicants acknowledge with appreciation the Examiner's finding that claim 43 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Favorable reconsideration of the application is respectfully requested in view of the amendments to the claims and following comments.

I. CLAIM AMENDMENTS

Independent claims 40, 42, 45, and 46 have each been amended so as to further define the relationship between the first audio information and the second audio information, as specified by the link information. Specifically, each of amended claims 40, 42, 45, and 46 recite:

the link information ~~relates~~ includes the group number and the track number for specifying the first audio information,
the link information further includes ~~to~~ the identification number specifying the second audio information, and
the link information is configured such that the link information can be searched based on the inclusion of the group number and the track number to obtain the second audio information as specified from the identification number of the second audio information indicated by the link information found by the search.

Support for this amendment may be found, for example, at page 22, lines 16-24, as well as at page 49, lines 5-10; 14-19 of the specification of the present application.

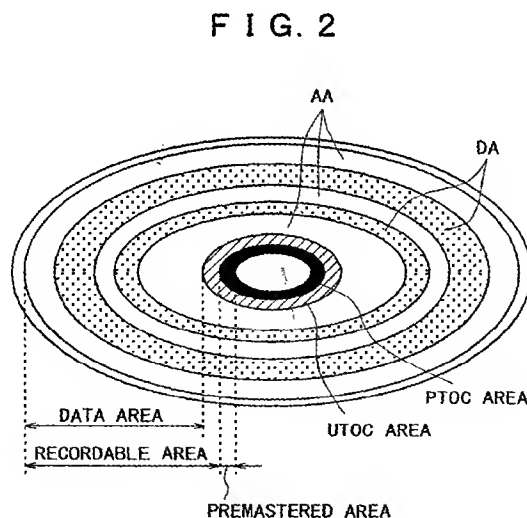
The link information as recited in the amended claims is configured to be searchable based on the group and track number of the first audio information to obtain second audio information which is specified by an identification number. That is, the link information associates a group and track number of the first audio information with an identification number of the second audio information so that the first and second audio information are associated with each other.

Accordingly, the link information as identified in the amended claims allows for, for example, the ability for different copyright management information to be applied to content recorded in different areas of the information recording medium while maintaining the appropriate associations with their related files. (see, e.g., page 43, lines 16-19 of the specification.) Furthermore, the link information allows for the realization of faster copying and lower power consumption.

II. CLAIM REJECTIONS – 35 USC § 102(b)

Claim 40 stands rejected under 35 USC § 102(b) as being anticipated by Ohbi et al. (United States Patent Publication No. 2004/0047602). However, for at least the reasons set forth below, Ohbi et al. does not teach the features of amended claim 40.

As previously discussed, Ohbi et al. is directed to a recording medium (e.g. a Mini Disc), such as that illustrated in Figure 2, reproduced below, having a data area that stores both audio track information (AA) and data track information (DA).



If one track of audio data is recorded physically discontinuously on the disk, the recorded data is reproduced by linking part tables of the discontinuous parts in a sequential manner using link information ([0168-0169]; [0179]). That is, the link information indicates parts of data to be reproduced next during reproduction of an audio track that is physically separated and recorded, for example. When described in

relation to the present application, the link information of Ohbi et al. is used for connecting discontinuous parts of certain first audio information. (see, e.g., Figure 7 of Ohbi et al.)

Furthermore, Ohbi et al. sets forth “linking rules” in order to deal with the problem of erasing a previously recorded data when an audio track and a data track are recorded overlapping each other. ([0404]; [0411]; Figure 20.) Namely, a predetermined distance identified as a guard band is inserted at the head of the data track. ([0411-0414]; Figure 21.) Hence, the linking information, which is used during playback to connect a discontinuous audio track, is not utilized in the execution of the linking rules, which are used recording to provide a predetermined spacing between audio tracks and data tracks.

Accordingly, Ohbi et al. does not teach link information that includes the group number and the track number for specifying the first audio information and the identification number specifying the second audio information, as claimed in the present invention. Instead, as described above, Ohbi et al. only discloses using link information to link the part tables of a discontinuous audio track (which the Examiner correlates to the first recording area for recording the first audio information). Moreover, the linking rules of paragraph [0404], to which the Examiner refers, merely relate to the predetermined spacing between the respective audio tracks and data tracks.

Furthermore, Ohbi et al. does not teach searching link information based on the inclusion of group and track numbers specifying the first audio information for obtaining second audio information as specified by the identification number, as claimed in the present invention. Rather, the linking rules of Ohbi et al. only disclose the physical start and end positions of audio and data tracks so as to prevent overwriting (see Ohbi et al., paragraph [0430]), not link information including group numbers, track numbers, and identification numbers specifying first and second audio information.

Therefore, Applicants respectfully submit that claim 40 is neither anticipated nor rendered obvious in view of Ohbi et al.

III. CLAIM REJECTIONS – 35 USC § 103(a)

Claims 42, 45, and 46 stand rejected under 35 USC § 103(a) as being unpatentable over Ohbi et al. Claims 42, 45, and 46 each contain at least the claim features discussed above in relation to claim 40. Therefore, Applicants respectfully submit that claims 42, 45, and 46 are neither anticipated nor rendered obvious in view of Ohbi et al.

Claims 41 and 44 stand rejected under 35 USC § 103(a) as being unpatentable over Ohbi et al. in view of Sake (United States Patent Publication No. 2002/0172117). Claims 41 and 44 depend from claims 40 and 42, respectively. Accordingly, claims 41 and 44 each contain at least the claim features discussed above in relation to claim 40. Furthermore, Sake does not cure the deficiencies of Ohbi et al. Therefore, Applicants respectfully submit that claims 41 and 44 are neither anticipated nor rendered obvious in view of Ohbi et al. and Sake.

IV. CONCLUSION

Accordingly, all claims are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

/Mark D. Saralino/

Mark D. Saralino

Reg. No. 34,243

DATE: May 29, 2009

The Keith Building
1621 Euclid Avenue
Nineteenth Floor
Cleveland, Ohio 44115
(216) 621-1113